

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter on the Commission's own motion )	
to implement the provisions of 2013 PA 95. )	Case No. U-17377
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At the July 31, 2017 meeting of the Michigan Public Service Commission in Lansing,  
Michigan.

PRESENT: Hon. Sally A. Talberg, Chairman  
Hon. Norman J. Saari, Commissioner  
Hon. Rachael A. Eubanks, Commissioner

**ORDER**

2013 PA 95 (Act 95), MCL 460.9t, created the Low-Income Energy Assistance Fund (LIEAF) within the State Treasury. Section 9t(5) of Act 95 provides that money from the LIEAF shall be expended by the Department of Health and Human Services as provided in the Michigan Energy Assistance Act, 2012 PA 615. The Michigan Energy Assistance Program (MEAP) administered by the Michigan Agency for Energy (MAE) provides oversight of the LIEAF.

Act 95 provides that the Commission, after an opportunity to comment, may annually approve a low-income energy assistance funding factor no later than July 31 of each year for the subsequent fiscal year. Section 9t(10)(B) of Act 95 provides that the funding factor is a nonbypassable surcharge to be added to each retail billing meter (but no more than one residential meter per residential site), payable monthly by every customer receiving retail distribution service from an electric utility, municipally owned electric utility, or cooperative electric utility, regardless of the identity of the customer's electric generation supplier. The funding factor shall be the same

across all customer classes, shall appear as a separate line item on each customer's bill, and shall not exceed \$1. Section 9t(7) provides that electric utilities, including the municipally owned and cooperative electric utilities, may elect not to collect the funding factor by annually filing a notice with the Commission by July 1; however, utilities that do not collect the funding factor shall not shut off service to any residential customer from November 1 to April 15 for nonpayment of a delinquent account. For utilities that do not opt out, Section 9t(8) provides that they shall annually, by July 1, provide to the Commission the number of retail billing meters the utility serves in Michigan that are subject to the funding factor. The Commission will thereafter determine the funding factor by July 31.

Section 9t(6) provides that "The amount used by the public service commission to calculate a low-income energy assistance funding factor during each fiscal year shall not exceed \$50,000,000.00 minus both the amount appropriated from the general fund in that fiscal year for home energy assistance and the amount remaining in the fund from the prior fiscal year."

Based on the filed information, the Commission issued an order on July 12, 2017, proposing a funding factor of \$0.93 for September 2017 through August 2018, and providing for the filing of comments through July 21, 2017. The Commission did not receive any comments on the proposed funding factor.

Based upon the utilities' elections and meter count information, and taking into account the funding target of \$50,000,000, the Commission finds that the LIEAF funding factor shall be \$0.93 per meter per month for the September 2017 through August 2018 billing months. An electric utility, municipally owned electric utility, or cooperative electric utility that collects money under Act 95 shall remit that money to the State Treasurer for deposit in the fund on a monthly basis no later than 30 days after the last day of each calendar month. MCL 460.9t(6). Utilities that have elected to participate and need further assistance on how to arrange for remittances to the LIEAF

may contact Wanda Jones, MAE MEAP Section Manager, at [jonesw1@michigan.gov](mailto:jonesw1@michigan.gov), or (517) 284-8163.

THEREFORE, IT IS ORDERED that:

A. The Low Income Energy Assistance Fund funding factor is \$0.93 per meter per month for the September 2017 through August 2018 billing months. Utilities that have elected to participate shall begin collecting the nonbypassable surcharge in the September 2017 billing month. Utilities that have opted out of collection of the surcharge shall not shut off service to any residential customer from November 1, 2017, to April 15, 2018, for nonpayment of a delinquent account.

B. Utilities whose rates are regulated by the Commission and who opted to collect the surcharge shall, within 30 days of the date of this order, file a tariff sheet with the Commission reflecting the surcharge.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, under MCL 462.26. To comply with the Michigan Rules of Court's requirement to notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel.

Electronic notifications should be sent to the Executive Secretary at [mpscedockets@michigan.gov](mailto:mpscedockets@michigan.gov) and to the Michigan Department of the Attorney General - Public Service Division at [pungp1@michigan.gov](mailto:pungp1@michigan.gov). In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

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Sally A. Talberg, Chairman

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Norman J. Saari, Commissioner

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Rachael A. Eubanks, Commissioner

By its action of July 31, 2017.

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Kavita Kale, Executive Secretary